

1 THACHER PROFFITT & WOOD LLP
2 PATRICK J. SMITH (*Pro Hac Vice*, SBN 2402394NY)
3 Two World Financial Center
4 New York, NY 10281
5 Phone: 212.912.7400
6 Fax: 212.912.7751

7 Attorneys for Defendant First American eAppraiseIT

Filed

APR 10 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE



8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 FELTON A. SPEARS, JR. and SIDNEY
12 SCHOLL, on behalf of themselves and all
13 others similarly situated,

14 Plaintiff,

15 v.

16 WASHINGTON MUTUAL, INC., a
17 Washington corporation; FIRST AMERICAN
18 EAPPRAISEIT, a Delaware corporation; and
19 LENDER'S SERVICE, INC.,

20 Defendant.

CASE NO.: 5:08-CV-00868 (HRL)

Honorable Howard R. Lloyd

CLASS ACTION

APPLICATION FOR ADMISSION OF
PATRICK J. SMITH *PRO HAC VICE*

DEMAND FOR JURY TRIAL

21 Pursuant to Civil L.R. 11-3, Patrick J. Smith, an active member in good standing of the bar of
22 the United States District Court for the Southern District of New York, hereby applies for admission
23 to practice in the Northern District of California on a *pro hac vice* basis representing the Defendant
24 First American eAppraiseIT in the above-entitled action.

25 In support of this application, I certify on oath that:

26 1. I am an active member in good standing of a United States Court or of the highest
27 court of another State or the District of Columbia, as indicated above;

28 2. I agree to abide by the Standards of Professional Conduct set fourth in Civil Local
Rule 11-4, to comply with General Order No. 45, Electrical Case Filing, and to become familiar with
the Local Rules and the Alternative Dispute Resolution programs of this Court; and,

MHA

McDonough Holland & Allen PC
Attorneys at Law

1 3. An attorney who is a member of the bar of this Court in good standing and who
2 maintains an office within the State of California has been designated as co-counsel in the above-
3 entitled action. The name, address and telephone number of that attorney is:

4 Michael T. Fogarty
5 MCDONOUGH HOLLAND & ALLEN PC
6 555 Capitol Mall, 9th Floor
7 Sacramento, CA 95814-4692
8 Tel: (916) 444-3900

9 I declare under penalty of perjury that the foregoing is true and correct.

10 DATED: April 3, 2008

11 THACHER PROFFITT & WOOD LLP

12 By: 

13 PATRICK J. SMITH

14 Attorneys for Defendant First American
15 eAppraisalT